IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.68 OF 2005

Mr.Abdul Rashid Jafarbhai Momin ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr.A.P.Mundargi with Mr.V.S.Ambune for Applicant.

Mr.K.V.Saste, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

JANUARY 17, 2005.

P.C.

1. Heard Counsel for the parties. Mr.Saste, learned A.P.P. fairly accepts that as of date, no documents have been received by the Investigating Officer to show the complicity of the Applicant in connection with the 233 objectionable cases or any other case. If it is so, the appropriate course, to my mind, is that without going into the contentious issues raised in this Application, the Investigating Officer is directed to give 72 hours

advance notice before he intends to arrest the Applicant, after he is satisfied about the necessity of his arrest, so as to enable the Applicant to take remedy as may be permissible by law.

2. In the meantime, the Applicant shall continue to cooperate with the Investigating Officer for the purpose of investigation as and when called upon.

A.M.KHANWILKAR, J.